



Express Mail No. EV475141127US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Augsburger et al.

Confirmation No.: 9882

Serial No.: 10/749,339

Art Unit: 1615

Filed: December 31, 2003

Examiner: To Be Assigned

For: METHODS FOR MAKING
PHARMACEUTICAL DOSAGE
FORMS CONTAINING ACTIVE
CUSHIONING COMPONENTS

Attorney Docket No: 11478-014-999
CAM No.: 702248-999013

**RESPONSE TO NOTICE TO FILE MISSING
PARTS OF NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated May 5, 2004 ("Notice"), submitted herewith are the following documents: (i) a copy of the Notice; and (ii) a Declaration executed by the inventors. Also filed concurrently herewith is a Petition For Extension of Time to extend the response to the Notice for a period of three (3) months from July 5, 2004 to and including October 5, 2004.

The Notice also indicates that the following fees are due (for a small entity) as indicated in the Notice:

- (1) Late oath or declaration surcharge, estimated to be \$65.00;
- (2) Statutory basic filing fee, estimated to be \$385.00 entity; and
- (3) Additional claims fee, estimated to be \$205.00.

Please charge these and any other fees that may be required to Jones Day Deposit Account No. 503013. A copy of this sheet is enclosed.

Date: October 4, 2004

Respectfully submitted,

Francis D. Cerrito Reg. No. 30,100
By: Don L. Hewson Reg. No. 53,112

Francis D. Cerrito

(Reg. No.)

JONES DAY

222 East 41st Street
New York, New York 10017
(212) 326-3939

Enclosure



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/749,339	12/31/2003	Larry Augsburger	11478-014-999

CONFIRMATION NO. 9882

20583
 JONES DAY
 222 EAST 41ST ST
 NEW YORK, NY 10017

FORMALITIES LETTER



OC000000012519571

Date Mailed: 05/04/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/07/2004 HLE333 00000033 503013 10749339

02 FC:2001 395.00 DA
 03 FC:2201 44.00 DA
 04 FC:2202 162.00 DA
 05 FC:2051 65.00 DA

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$205** as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$655** for a Small Entity

- **\$385** Statutory basic filing fee.
- **\$65** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$205**

- \$43 for 1 independent claims over 3.
- \$162 for 18 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE